

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

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In re:

**Peggie Caviness Timberlake**

S.S. No.: xxx-xx-7111

Mailing Address: 1502 Bungalow Avenue, Durham, NC 27703-

**Case No. 09-81806**

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Debtor.

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**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtor has filed for relief under Chapter 13 of the United States Bankruptcy Code on October 14, 2009.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtor's proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: October 30, 2009

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

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John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtor  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

Date:	9/24/09
Logname SS#	Timberlake-7111

## SURRENDER OF ALL RAY

Creditor Name	Description of Collateral

## RELATED DEFECTORY CONTRACTS/LEASES

Creditor Name	Description of Collateral

Creditor Name	Loan Contract Amount	Loan Maturity	Asset as Protection	Minimum Monthly Equal Payment	Description of Collateral	
EMC	4	\$731	N/A	n/a	\$731.00	1502 Bungalow Ave.
Suntrust	7	\$110	N/A	n/a	\$110.00	1502 Bungalow Ave.
			N/A	n/a		
			N/A	n/a		

Remain	Creditor Name	Sch D #	FMV	Inc Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Pennsylvania Natl. Mut	9	\$6,044	6.00	\$60	\$141.32	Judgment
				6.00			
				6.00			
				6.00			

	Crypto Name	Qty	Unit Price	Unit Cost	Unit Profit	Minimum Equal Payment	Description of Collateral
Retain	SECU	5	\$5,482	\$2.25	\$32	\$211.00	2001 Cadillac Deville
				6.00			
				6.00			
				6.00			

### PROPOSED CHAPTER 13 PLAN PAYMENT

\$1,320      60      months  
 N/A      N/A      months  
 Adequate Protection Payment Period: 9.28 months  
 Adequate Protection Payment Period: Adequate protection payment and  
 may include up to 2 years of loan payments.  
 If provided on file, as indicated on the filed schedule.  
 10/10/2016 10/10/2016 (Page 3 of 4)  
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**Plan to allow for 3 "waxers".**

## **CERTIFICATE OF SERVICE**

I, Charlene Free, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Charlene Free

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Charlene Free

North Carolina Department of Revenue c/o NC Department of Justice Post Office Box 629 Raleigh, NC 27602-0629	America's Servicing Company (ASC) Post Office Box 10328 Des Moines, IA 50306	Fingerhut/Axsys National Bank Post Office Box 7999 Saint Cloud, MN 56302-7999
Employment Security Commission Attn: Benefit Payment Control Post Office Box 26504 Raleigh, NC 27611-6504	Bank of America ** Post Office Box 15019 Wilmington, DE 19886-5019	HFC 4201 University Drive Durham, NC 27707
Credit Bureau Post Office Box 26140 Greensboro, NC 27402	Credit Bureau of Greensboro** Post Office Box 26140 Greensboro, NC 27402-0040	Internal Revenue Service** Post Office Box 21126 Philadelphia, PA 19114-0326
NC Child Support Centralized Collections Post Office Box 900006 Raleigh, NC 27675-9006	David G. Harris Pinto Coates Kyre & Brown, PLLC. Post Office Box 4848 Greensboro, NC 27404	Michael C. Murray Post Office Box 31447 Raleigh, NC 27622
Equifax Information Systems LLC P.O. Box 740241 Atlanta, GA 30374-0241	Duke University Hospital** PO Box 15000 Durham, NC 27704	North Carolina Department of Re c/o Reginald S. Hinton Post Office Box 25000 Raleigh, NC 27640-5000
Experian P.O. Box 2002 Allen, TX 75013-2002	Durham County Tax Collector Post Office Box 3397 Durham, NC 27701	North Carolina Dept of Revenue* Post Office Box 1168 Raleigh, NC 27602-1168
Innovis Data Solutions Attn: Consumer Assistance P.O. Box 1534 Columbus, OH 43216-1534	Durham Regional Hospital and Emergency Medical Service 402 Stadium Drive Durham, NC 27704	Pennsylvania National Mutual Cas Post Office Box 52409 Durham, NC 27712
Trans Union Corporation P.O. Box 2000 Crum Lynne, PA 19022-2000	EMC Mortgage Corporation ** 800 State Highway 121 BYP Lewisville, TX 75067-4180	State Employees Credit Union ** Attn: Bankruptcy Department P.O. Box 25279 Raleigh, NC 27611
ChexSystems Attn: Consumer Relations 7805 Hudson Road, Ste. 100 Woodbury, MN 55125	Fingerhut Corporation** c/o Axsys National Bank 11 McLeland Road Saint Cloud, MN 56395	Suntrust Mortgage 1011 Semmes Avenue Richmond, VA 23224

Sylvia Caviness

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120 William Penn Plaza  
Durham, NC 27704